

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

TERESA J. McMICHAEL, Civil No. 09-840-HA

Plaintiff, ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

HAGGERTY, District Judge:

Based on the stipulation by the parties, plaintiff's counsel seeks an award of attorney fees pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$6,752.31, with no costs or expenses.

This court concludes that plaintiff's counsel's Stipulation for EAJA Fees [33] is granted as follows: it is ordered that attorney Martin R. Cohen be paid \$6,752.31 upon verification that plaintiff has no debt to the government which qualifies for offset against the awarded fees. *See Astrue v. Ratliff*, ___ U.S. ___, 130 S. Ct. 2521, 2527 (2010) (subjecting EAJA awards fees "to a federal administrative offset if the litigant has outstanding federal debts."). If plaintiff has such

debt, then payment for any remaining funds after offset of the debt shall be made to plaintiff's attorney.

IT IS SO ORDERED.

DATED this 29th day of November, 2010.

/s/ Ancer L. Haggerty

Ancer L. Haggerty
United States District Judge